

RESOLUTION NO. 2001-04

A RESOLUTION TO CREATE A CEMETERY COMMITTEE FOR THE MANAGEMENT OF THE HILLSIDE CEMETERY.

WHEREAS, the Town of Silverton owns the Hillside Cemetery;

WHEREAS, the Town Board recognizes the need to institute a better mechanism of managing the cemetery in accordance with the intent for which the property was deeded to the Town of Silverton;

WHEREAS, the Town of Silverton, the County of San Juan, and the San Juan County Historical Society all contribute to the operation, care, and maintenance of the cemetery and should have representation in managing of the property; and

WHEREAS, the Hillside Cemetery is a limited resource that should be conserved, to the extent possible, in order to attain maximum benefit to the Town of Silverton and its residents;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO, THAT:

1. There is hereby created a committee of persons to oversee the operation, maintenance, planning, improvement, and other related matters associated with the proper management of the Hillside Cemetery. The committee shall be known as the Hillside Cemetery Committee.
2. The Committee shall consist of five persons to be appointed by the Mayor and confirmed by the Board of Trustees. The County of San Juan shall be entitled to one (1) representative on the Committee; the San Juan County Historical Society shall be entitled to one (1) representative; the Town of Silverton shall be entitled to two (2) representatives; and there shall be one (1) member-at-large. All members appointed to the Committee shall own real property in the Town of Silverton.
3. The Board of County Commissioners shall submit a slate of three (3) persons, recommended for appointment, to the Mayor for his consideration in making appointments to the Committee. The Board of Directors of the San Juan County Historical Society shall submit a slate of three (3) persons, recommended for appointment, to the Mayor for his consideration in making appointments to the Committee. The Town of Silverton, acting by and through the Mayor, shall appoint two (2) persons to represent the Town Board on the Committee and one (1) person to serve as a committee member-at-large. The Mayor shall appoint five (5) persons to the Hillside Cemetery Committee in accordance with the provisions of Section 2, above, and submit his appointments to the Town Board of Trustees for confirmation.
4. Appointments to the Committee shall be for a term of two (2) years, excepting that in the establishment of this Committee, two (2) of the appointments shall have a specified term of three (3) years for the first term and then two (2) year terms thereafter. If a position on the Committee becomes vacant, the Mayor shall appoint a person to fill the vacancy for the balance of the unexpired term in accordance with the provisions of Sections 2 and 3, above.
5. The Committee shall have the authority and duty to:
 - a. Adopt such by-laws, rules, and regulations for its own guidance and operation as it deems expedient.
 - b. Recommend operating procedures, rules, regulations, fees, and site plans for the layout and orientation of gravesites in order to reasonably maximize and protect the public benefit to the residents of the Town of Silverton.
 - c. Submit annually a budget request to the Town of Silverton for its consideration in formulating and adopting an annual budget for all funds, departments, and spending agencies in accordance with the Local Government Budget Law of Colorado.
 - d. Accept such gifts of money or property for cemetery purposes as it deems expedient and deposit the same with the Town of Silverton.

- e. Recommend capital improvements and/or expansions of the cemetery properties to the Town Board for consideration and approval. The Town Board shall not be bound to approve such recommendations and retains the right to modify or deny such requests.
 - f. Select employees and contractors to operate, maintain, and accomplish other work on the cemetery properties, as the Committee deems appropriate and as limited by the cemetery's budget appropriation(s).
 - g. Identify, prioritize, and schedule annual maintenance work on the cemetery.
 - h. Oversee and supervise maintenance work at the Hillside Cemetery in accordance with the Town's annual budget appropriation for cemetery purposes.
 - i. Review and approve, conditionally approve or deny applications for burial in the cemetery.
 - j. Oversee and supervise contractors and other persons hired by applicants' representatives, at their cost, to dig graves, set-up gravesite facilities, backfill graves, set headstones, and other work associated with the private burial of deceased persons. The Committee has authority to deny an applicant's choice of gravesite excavator for good cause.
 - k. Enter into contracts for work approved by the Town Board, subject to budgetary limitations.
 - l. Do all other acts necessary for the orderly and efficient management and control of the cemetery, unless otherwise restricted by the Town Board.
6. In conjunction with the Town's annual budgeting process, the Committee shall submit a report to the Town Board showing the condition of its trust during the preceding year, including the work accomplished by and through the Committee. The report shall include information as may be required from time-to-time by the Town Board.
7. The Town Board may, upon the filing of written charges against any member of the Committee, or upon its own volition, schedule and hold a hearing to review and substantiate allegations of misconduct, conflict of interest, or other matter of public trust, and upon a majority finding by the Town Board that such allegation is substantiated, the Board may remove any member of the Committee by a two-thirds (2/3) majority of the entire Board, unless the alleged defendant is a Town Board member in which case the Board's decision shall be determined by a two-thirds (2/3) majority of a quorum of the Board, excluding the alleged defendant.

ADOPTED AND MADE EFFECTIVE THIS 11th day of JUNE, 2001.

ATTEST:

Deanna M Jaramillo
Deanna M. Jaramillo, Clerk-Treasurer

Ernest F Kuhlman
Ernest F. Kuhlman, Mayor